BILL NO. Z-86-07-19

ZONING MAP ORDINANCE NO. Z- Withdrawn

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. H-23.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an M-1 (Light Industrial) District under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

Parcel #1 (Doc #84-026290)

Part of the Northwest Quarter of Section 28, Township 30 North, Range 12 East in Allen County, State of Indiana, described as follows, to-wit: The South 1863.5 feet of the West 825.0 feet of the Northwest Quarter of Section 28, Township 30 North, Range 12 East, Allen County, State of Indiana.

EXCEPTING THEREFROM: Part of the Northwest Quarter of Section 28, Township 30 North, Range 12 East in Allen County, State of Indiana, described as follows, to-wit: The North 263.5 feet of the South 1863.5 feet West 825.0 feet to the Northwest Quarter of Section 28, Township 30 North, Range 12 East, Allen County, State of Indiana, containing 4.99 acres of land, more or less.

ALSO EXCEPTING THEREFROM: Parcel No. 1: The North 544 feet of the South 1600 feet of the East 525 feet of the West 825 feet of the Northwest Quarter of Section 28, Township 30 North, Range 12 East in Allen County, Indiana, containing 6.55 acres, more or less.

ALSO EXCEPTING THEREFROM: Part of the West Half of the Northwest Quarter of Sectin 28, Township 30 North, Range 12 East of Allen County, Indiana, being more particularly described as follows: Commencing at a point on the West line of the Northwest Quarter of Section 28, Township 30 North, Range 12 East of Allen County, Indiana, said point being two hundred sixty four (264) feet North of the Southwest corner of the Northwest Quarter of said Section 28, thence North along the West line of the Northwest Quarter of said Section 28, a distance of Seven Hundred Ninety Two (792) feet; thence East and parallel with the South line of the Northwest Quarter of said Section 28, a distance of Eight Hundred Twenty-Five (825) feet; thence South and parallel with the West line of said Northwest Quarter a distance of Seven Hundred Ninety Two (792) feet; thence West and parallel with the South line of the Northwest Quarter of said Section 28, a distance of Eight Hundred Twenty Five (825) feet to the place of beginning, containing Fifteen (15) acres of

ALSO EXCEPTING THEREFROM: Part of the Northwest Quarter of Section 28, Township 30 North, Range 12 East and part of the Northeast Quarter of Section 29, Township 30 North, Range 12 East in Allen County, State of Indiana, described as follows, to-wit: Beginning at the Southwest corner of the Northwest Quarter of Section 28, Township 30 North, Range 12 East in Allen County, State of Indiana; thence West 80.75 feet along the South line of the aforementioned Northeast Quarter of Section 29, Township 30 North, Range 12 East to the centerline of the Hayden Road in said Section 29, Township 30 North, Range 12 East; thence North 13 degrees 30 minutes East 273.85 feet to a point situated 264.0 feet North of the Aforementioned Southwest corner of the Northwest Quarter of Section 28, Township 30 North, Range 12 East; thence East 825.0 feet on a line parallel to the South line of the aforementioned Northwest Quarter of Section 28, Township 30 North, Range 12 East; thence South 264.0 feet on a line parallel to the West line of the Northwest Quarter of Section 28, Township 30 North, Range 12 East to the South line of the said Northwest Quarter of Section 28, Township 30 North, Range 12 East; thence West 825.0 feet along the said South line of the Northwest Quarter of Section 28, Township 30 North, Range 12 East to the place of beginning, containing 5.03 acres of land, more or less.

TOGETHER WITH

Parcel #2 (Doc #84-024462)

The West 100 feet of the North 544 feet of the South 1600 feet of the East 525 feet of the West 825 feet of the Northwest Quarter of Section 28, Township 30 North, Range 12 East in Allen County, Indiana.

and the symbols of the City of Fort Wayne Zoning Map No. H-23, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Eisbart, seconded by Henry, and duly adopted, read the second ti by title and referred to the Committee Regulations (and the C Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wa Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock ____.M.,

DATE: 7-22-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on it passage. PASSED (LOST) by the following vote:

| | AYES | NAYS | ABSTAINED | ABSENT | TO-WIT: |
|---|---|---|---|---|---|
| TOTAL VOTES | ____ | ____ | _____ | _____ | _____ |
| BRADBURY | ____ | ____ | _____ | _____ | _____ |
| BURNS | ____ | ____ | _____ | _____ | _____ |
| EISBART | ____ | ____ | _____ | _____ | _____ |
| GiaQUINTA | ____ | ____ | _____ | _____ | _____ |
| HENRY | ____ | ____ | _____ | _____ | _____ |
| REDD | ____ | ____ | _____ | _____ | _____ |
| SCHMIDT | ____ | ____ | _____ | _____ | _____ |
| STIER | ____ | ____ | _____ | _____ | _____ |
| TALARICO | ____ | ____ | _____ | _____ | _____ |

Withdrawn

DATE: _____

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. _____ on the _____ day of _____, 19____

ATTEST: (SEAL)

_____
SANDRA E. KENNEDY, CITY CLERK

_____
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana on the _____ day of _____, 19____ at the hour of _____ o'clock _____.M.,E.S.T.

_____
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____ 19____, at the hour of _____ o'clock _____.M.,E.S.T.

_____
WIN MOSES, JR., MAYOR

Prescribed by State Board of Accounts

A.E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 352

CK # 50291

# RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

№ 1111

FT. WAYNE, IND., 6-23 19 86

RECEIVED FROM Hagerman Const. $ 50.00

THE SUM OF fifty 00/100 DOLLARS

ON ACCOUNT OF East side of Edmonton

Rezoning RA to M-1

Pat B.

AUTHORIZED SIGNATURE

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We Hagerman Construction Corporation
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/~~an~~ RA District to a/~~an~~ M1 District the property described as follows:

See Attached

(Legal Descrption) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

East side of Ardmore Ave. approximately 300 feet South of Elmhurst Drive.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

| (Name) | (Address) | (Signature) |
|---|---|---|
| Theodore Hagerman | P.O. Box 10690, Ft. Wayne, 46853 | Theo. Hagerman |

(If additional space is needed, use reverse side.)

Legal Description checked by _____.
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordina being sent to the newspaper for legal publication. If the request for deferra continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at whi it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the mat for hearing before the City Plan Commission. (FILING FEE $50.00)

Name and address of the preparer, attorney or agent.

| (Name) | (Address & Zip Code) | (Telephone Number) |
|---|---|---|
| David M. Ford | P.O. Box 10690<br>Fort Wayne, IN 46853 | 424-1470 |

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

Owners of Property

| (Name) | (Address) | (Signature) |
| --- | --- | --- |
| | | |
| | | |
| | | |
| | | |
| | | |

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING FROM BEING HELD.

## LEGAL DESCRIPTION

Parcel #1 (Doc #84-026290)

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## TOGETHER WITH

Parcel #2 (Doc #84-024462)

The West 100 feet of the North 544 feet of the South 1600 feet of the East 525 feet of the West 825 feet of the Northwest Quarter of Section 28, Township 30 North, Range 12 East in Allen County, Indiana.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 22, 1986, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-86-07-19; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as require by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 21, 1986; and,

WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

Certified and signed this
12th day of August 1986.

Melvin O. Smith
Secretary

# Hagerman Construction Corporation

GENERAL CONTRACTORS

Office: 510 West Washington Blvd. • Phone 219-424-1470
P. O. Box 10690
FORT WAYNE, INDIANA 46853


August 8, 1986

Ft. Wayne Planning Commission
Room 830 - City County Building
One Main Street
Ft. Wayne, Indiana 46802

Gentlemen:

Mr. Demeke Tekle-Wold has informed us that because of the local neighborhood opposition, he has decided not to locate his new manufacturing facility on Ardmore Avenue, south of Elmhurst Drive. Therefore, we respectfully request that the rezoning petition, Z-86-07-19, pertaining to this property be withdrawn.

We regret any inconvenience this matter may have caused the Planning Commission.

Very truly yours,

HAGERMAN CONSTRUCTION CORPORATION

By Mark F. Hagerman
Mark F. Hagerman, President

MFH:sw

# FACT SHEET

Z-86-07-19
BILL NUMBER

## Division of Community Development & Planning

| BRIEF TITLE | APPROVAL DEADLINE | REASON |
|---|---|---|
| Zoning Ordinance Amendment | | |

**DETAILS**

**Specific Location and/or Address**

East side of Ardmore Avenue approximately 300 feet south of Elmhurst Drive.

**Reason for Project**

WITHDRAWN AT PETITIONER'S REQUEST

**Discussion (Including relationship to other Council actions)**

| POSITIONS | RECOMMENDATIONS |
|---|---|
| Sponsor | City Plan Commission |
| Area Affected | City Wide<br>Other Areas |
| Applicants/ Proponents | Applicant(s)<br>Hagerman Construction Corp<br>City Department<br>Other |
| Opponents | Groups or Individuals<br>Basis of Opposition |
| Staff Recommendation | ☐ For ☐ Against<br>Reason Against |
| Board or Commission Recommendation | By<br>☐ For ☐ Against<br>☐ No Action Taken<br>☐ For with revisions to conditior<br>(See Details column for conditio |
| CITY COUNCIL ACTIONS (For Council use only) | ☐ Pass ☐ Other<br>☐ Pass (as amended) ☐ Hold<br>☐ Council Sub. ☐ Do not pas |

DETAILS

POLICY/PROGRAM IMPACT

| | |
|---|---|
| Policy or Program Change | ☐ No ☐ Yes |
| Operational Impact Assessment | |

(This space for further discussion)

Project Start Date 23 June 1986

Projected Completion or Occupancy Date 12 August 1986

Fact Sheet Prepared by Date 12 August 1986

Patricia Biancaniello

Reviewed by Date 12 August 1986

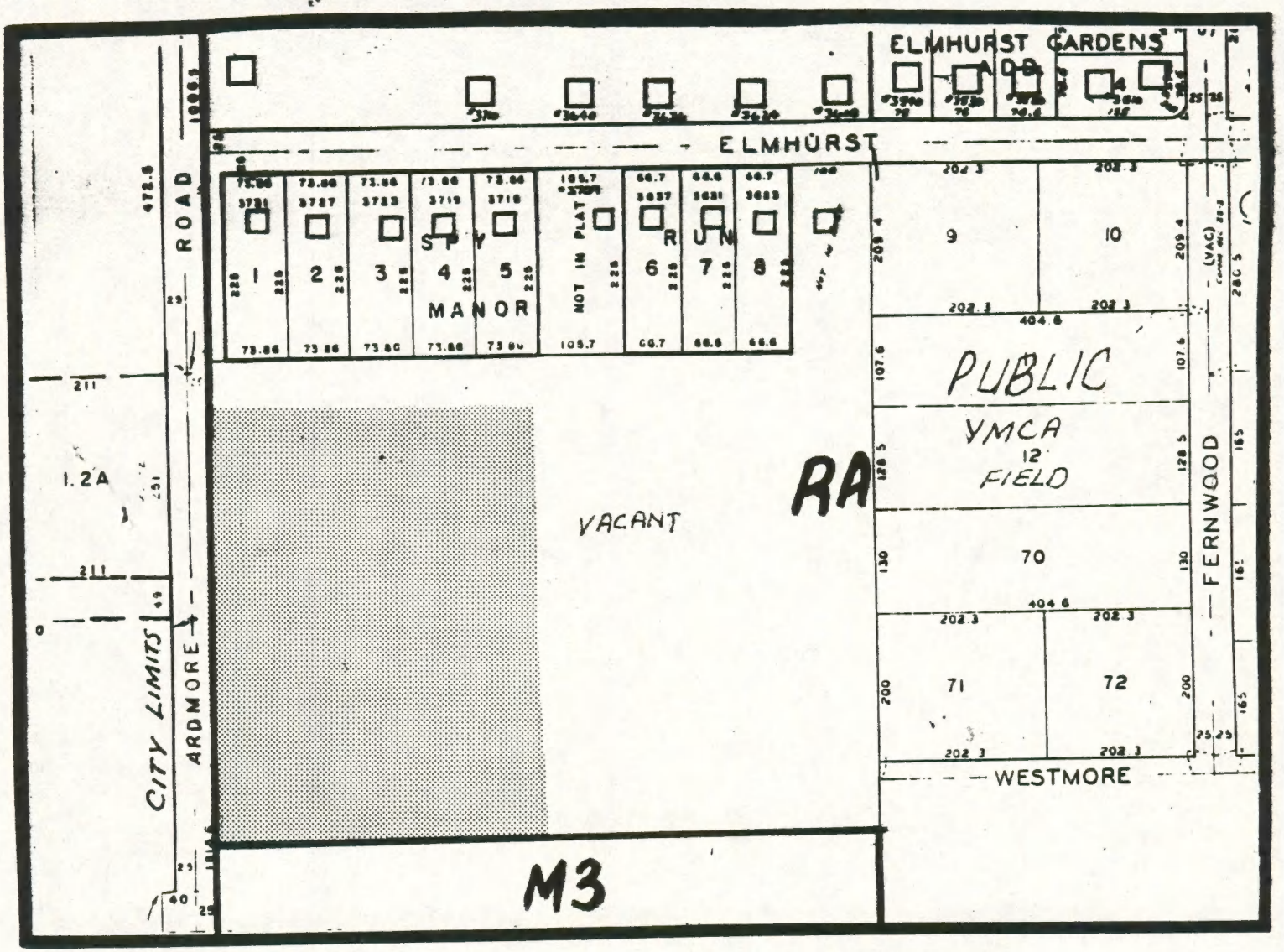
Gary Baxter

Reference or Case Number

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPEATY. FROM AN R-A DISTRICT TO A M-1 DISTRICT.

MAP NO. H-23

COUNCILMANIC DISTRICT NO. 4




## ZONING:

RA RESIDENCE 'A'
M3 HEAVY INDUSTRY

## LAND USE:

☐ SINGLE FAMILY

N

**SCALE:** 1"=200'

**DATE:** 7-2-86

ORIGINAL

Admn. Appr. _____

COUNCILMANIC DISTRICT No. ____ DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P 3-86-07-19

SYNOPSIS OF ORDINANCE East side of Ardmore Avenue approximately 300 feet south of Elmhurst Drive

EFFECT OF PASSAGE Property is presently zoned RA - Suburban Residential. Property will become M-1 - Light Industrial District.

EFFECT OF NON-PASSAGE Property will remain RA - Suburban Residential District.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____

BILL NO. Z-86-07-19

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ amending the City of Fort Wayne Zoning Map No. H-23

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) ~~(RESOLUTION)~~ DO PASS

| YES | | NO |
|---|---|---|
| | BEN A. EISBART<br>CHAIRMAN | |
| | JANET G. BRADBURY<br>VICE CHAIRWOMAN | |
| | DONALD J. SCHMIDT | |
| | THOMAS C. HENRY | |
| | CHARLES B. REDD | |

CONCURRED IN 8-26-86

SANDRA E. KENNEDY
CITY CLERK